

GENTILE CRISTALLI
MILLER ARMENI SAVARESE
PAOLA M, ARMENI
Nevada Bar No. 8357
E-mail: parmeni@gcmaslaw.com
VINCENT SAVARESE III
Nevada Bar No. 2467
E-mail: vsavarese@gcmaslaw.com
Tel: (702) 880-0000
Fax: (702) 778-9709
Attorneys for Petitioner, David Robert Thomson

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

DAVID ROBERT THOMSON,

Petitioner,

vs.

BRIAN WILLIAMS, et al. ,

Respondents.

CASE NO. 2:17-cv-02932-RFB-GWF

**STIPULATION AND ORDER TO ALLOW PARTIES TO FILE A STATUS
REPORT IN 60 DAYS AS TO THE STANDING OF PETITIONER'S
APPEAL IN THE NEVADA COURT OF APPEALS**

IT IS HEREBY STIPULATED by and between Petitioner, David Robert Thomson, by and through his attorneys, Paola M. Armeni, Esq., and Vincent Savarese III, Esq., of the law firm of Gentile Cristalli Miller Armeni Savarese, and Respondents, by and through Aaron Ford, Nevada Attorney General, and Natasha M. Gebrael, Deputy Attorney General of the State Nevada that the parties will file a Status Report in 60 days to advise the Court as to the status of Petitioner's state case pending before the Nevada Court of Appeals. If the matter has been resolved at the time of the Status Report, Petitioner will request a deadline to file a Motion to Seek Leave to File a Third Amended Petition for Writ of Habeas Corpus. If the state court matter is not resolved within the 60 days, the parties will seek an additional time period for another Status Report.

This Stipulation is entered into for the following reasons:

1. Petitioner has an appeal pending before the Nevada Court of Appeals, Case No.

1 76102. On June 6, 2019, the Nevada Supreme Court transferred this case to the Nevada Court of
2 Appeals. To date, no decision has been issued on the appeal.

3 2. The parties believe that for efficiency and judicial economy that the Nevada State
4 Court matter should be exhausted and fully completed prior to Petitioner making a request for
5 leave to file a Third Amended Petition for Writ of Habeas Corpus.

6 3. Respondent's stipulation to allow Petitioner additional time does not signify an
7 implied finding of a basis for tolling any applicable period of limitations or the waiver of any
8 other procedural defense. Petitioner at all times remains responsible for calculating any
9 limitation periods and understands that, in granting an extension request, this Court makes no
10 finding or representation that the petition, any amendments thereto, and/or any claims contained
11 therein are not subject to dismissal as untimely.

12 4. This stipulation is not filed for the purpose of delay, but in the interests of justice,
13 in order to ensure that Mr. Thomson has effective and thorough representation in his federal
14 habeas action as well as for judicial economy.

15 DATED this 3rd day of July, 2019.

16 GENTILE CRISTALLI
17 MILLER ARMENI SAVARESE

18 /s/ PAOLA M. ARMENI
19 PAOLA M. ARMENI
20 Nevada Bar No. 8357
21 VINCENT SAVARESE III
22 Nevada Bar No. 2467
23 Tel: (702) 880-0000
24 Fax: (702) 778-9709
25 Attorneys for Petitioner, David Robert Thomson

26 AARON FORD
27 Nevada Attorney General

28 /s/ NATASHA M. GEBRAEL
AARON FORD
Nevada Attorney General
NATASHA M. GEBRAEL
Deputy Attorney General
Nevada Bar No. 14367
555 East Washington Avenue, #3900
Las Vegas, NV 89101
Tel: (702) 486-2625
Fax: (702) 486-2377

ORDER

Upon stipulation of the parties, and good cause appearing therefor,

IT IS HEREBY ORDERED that the parties shall have sixty (60) days from the date of this Order to file a Status Report with the Court advising it of the status of Petitioner's appeal currently before the Nevada Appeals Court.

DATED this 9th day of July, 2019.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

United States of America,
vs.
BRIAN WILLIAMS, et al.
CASE NO. 2:17-cv-02932-RFB-GWF